

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

0425-1139PUS1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/504506

INTERNATIONAL APPLICATION NO.

PCT/JP03/00273

INTERNATIONAL FILING DATE

January 15, 2003

PRIORITY DATE CLAIMED

January 16, 2002

TITLE OF INVENTION

ADDITIVE FOR HEATED ASPHALT

APPLICANT(S) FOR DO/EO/US

Yuichi HONMA; Ryoichi TAMAKI; Takashi MUKAI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - a. ☐ is attached hereto.
 - b. ☐ has been submitted to the Internal Bureau (See Box VIII-4-1 of the Request (PCT/R0/101), **copy attached**).
The Power of Attorney or Authorization of Agent and Certificate under 37 CFR 3.73(b) Showing Chain of Title are: ☐ attached hereto. ☐ will follow.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449(s), and International Search Report (PCT/ISA/210) with 5 cited document(s).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
PCT/IB/301
PCT/IB/304
PCT/IB/308

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/501506</div>		INTERNATIONAL APPLICATION NO PCT/JP03/00273		ATTORNEY'S DOCKET NUMBER 0425-1139PUS1	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1,080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td style="width:60%;">\$ 920.00</td> <td style="width:20%;"></td> <td style="width:20%;"></td> </tr> <tr> <td>\$ 130.00</td> <td></td> <td></td> </tr> <tr> <td colspan="3"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:30%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:30%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>9 - 20 =</td> <td>0</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>0 + \$290.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1050.00</td> </tr> </table> </td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2. </td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL =</td> </tr> <tr> <td colspan="3"> Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)). </td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="3"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property </td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL FEES ENCLOSED =</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">Amount to be:</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">refunded \$</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">charged \$</td> </tr> </table>		CALCULATIONS		PTO USE ONLY	\$ 920.00			\$ 130.00			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:30%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:30%;">RATE</th> </tr> <tr> <td>Total Claims</td> <td>9 - 20 =</td> <td>0</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$86.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>0 + \$290.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1050.00</td> </tr> </table>			CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	9 - 20 =	0	X \$18.00	Independent Claims	1 - 3 =	0	X \$86.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0 + \$290.00	TOTAL OF ABOVE CALCULATIONS =			\$ 1050.00	<input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.			SUBTOTAL =			Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).			TOTAL NATIONAL FEE =			Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			TOTAL FEES ENCLOSED =					Amount to be:			refunded \$			charged \$
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a. ☒ A check in the amount of \$1,050.00 to cover the above fees is enclosed.

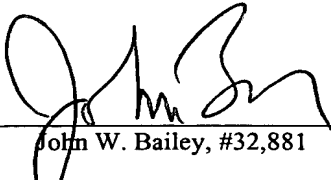
b. ☐ Please charge my Deposit Account. No. 02-2448 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 02-2448.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:
Birch, Stewart, Kolasch & Birch, LLP or Customer No. 02292
 P.O. Box 747
 Falls Church, VA 22040-0747
 (703) 205-8000

Date: July 15, 2004

By 
 John W. Bailey, #32,881

/kss/jmb